

SECOND REGULAR SESSION

SENATE BILL NO. 912

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CUNNINGHAM.

Read 1st time February 8, 2010, and ordered printed.

TERRY L. SPIELER, Secretary.

3064S.011

AN ACT

To repeal sections 105.478, 105.967, and 115.646, RSMo, and to enact in lieu thereof three new sections relating to ethics, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 105.478, 105.967, and 115.646, RSMo, are repealed
2 and three new sections enacted in lieu thereof, to be known as sections 105.459,
3 105.478, and 105.967, to read as follows:

**105.459. 1. No contribution or expenditure of public funds shall
2 be made directly by any director or employee of any state agency, or
3 any officer, employee, or agent of any political subdivision to advocate,
4 support, or oppose any legislation, ballot measure, or candidate for
5 public office. No such person shall use or allow the use of, any public-
6 owned property, including computers, office equipment, electronic mail
7 addresses, or any public Internet network for any such purposes. This
8 section shall not be construed to prohibit any public official of a
9 political subdivision from making public appearances or from issuing
10 press releases concerning any such ballot measure.**

**11 2. Any person guilty of knowingly violating the provisions of this
12 section shall be guilty of a class A misdemeanor.**

**13 3. The state agency or political subdivision which employs or is
14 administered by a person found guilty of a violation of subsection 1 of
15 this section shall be subject to a reduction in the amount appropriated
16 for the fiscal year in which the violation occurs in an amount not to
17 exceed one hundred thousand dollars for each violation.**

105.478. Any person guilty of knowingly violating any of the provisions

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

2 of sections 105.450 to 105.498, **excepting section 105.459**, shall be punished
3 as follows:

4 (1) For the first offense, such person is guilty of a class B misdemeanor;

5 (2) For the second and subsequent offenses, such person is guilty of a
6 class D felony.

105.967. [After January 1, 1992,] 1. No person shall be appointed to or
2 serve on any of the commissions created under section 2 or section 7 of article III
3 of the state constitution while acting as a lobbyist, as defined by section 105.470.

4 **2. No person shall be appointed to or serve on any committee**
5 **formed under the laws of this state that operates mainly for the**
6 **purpose of advising or informing members of the general assembly,**
7 **while acting as a lobbyist, as defined by section 105.470.**

[115.646. No contribution or expenditure of public funds
2 shall be made directly by any officer, employee or agent of any
3 political subdivision to advocate, support, or oppose any ballot
4 measure or candidate for public office. This section shall not be
5 construed to prohibit any public official of a political subdivision
6 from making public appearances or from issuing press releases
7 concerning any such ballot measure.]

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